



Order Filed on November 8, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-2(c)

**THE LAW OFFICE OF
JOHN A. FIALCOWITZ, LLC**
John Fialcowitz (JF-0752)
89 Headquarters Plaza North, Suite 1216
Morristown, New Jersey 07960
973.532.7208
john@fialcowitzlaw.com
*Proposed Co-Counsel for the
Official Committee of Asbestos Claimants*

In re:

Duro Dyne National Corp., *et al.* ¹

Chapter 11

Case No. 18-27963 (MBK)

Jointly Administered

**ORDER AUTHORIZING THE EMPLOYMENT AND RETENTION OF THE LAW
OFFICE OF JOHN A. FIALCOWITZ, LLC AS CO-COUNSEL TO
THE OFFICIAL COMMITTEE OF ASBESTOS CLAIMANTS**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: November 8, 2018


Honorable Michael B. Kaplan
United States Bankruptcy Judge

Page: 2

Debtor: Duro Dyne National Corp., et al., *et al.*

Case No.: 18-27963 (MBK)

Caption: Order Authorizing the Employment and Retention of John A. Fialcowitz, LLC as Co-Counsel to the Official Committee of Asbestos Claimants

Upon consideration of the application (the “Application”) of the Official Committee of Asbestos Claimants (the “Committee”) for entry of an order authorizing the employment and retention of the Law Office of John A. Fialcowitz, LLC (“Fialcowitz”) as co-counsel to the Committee, effective as of the Petition Date (September 7, 2018), and upon consideration of the Fialcowitz Declaration submitted in support of the Application; and the Court being satisfied, based on representations made in the Application that (i) Fialcowitz does not represent any person or entity having an interest adverse to the Committee or to the asbestos-related creditors of the Debtors’ estates in connection with the matters for which the Committee proposes to employ Fialcowitz, (ii) Fialcowitz is a “disinterested person” pursuant to sections 101(14) and 328(c) of the Bankruptcy Code, (iii) proper and adequate notice of the Application has been given and no other or further notice is necessary, and (iv) Fialcowitz’s employment is necessary and in the best interest of the Committee; and the Court having jurisdiction over this matter pursuant to 28 U.S.C. §157 and §1334 and the *Standing Order of Reference to the Bankruptcy Court Under Title 11* of the United States District Court for the District of New Jersey dated September 18, 2012 (Simandle, C.J.);

IT IS HEREBY ORDERED THAT:

1. The Application is **GRANTED** as set forth herein.
2. The Committee is authorized to employ and retain Fialcowitz, effective as of the Petition Date, to serve as co-counsel to the Committee in these Chapter 11 cases.
3. Fialcowitz shall be compensated in accordance with sections 330 and 331 of the Bankruptcy Code, the applicable provisions of the Bankruptcy Rules, the Local Rules, and any

Page: 3

Debtor: Duro Dyne National Corp., et al., *et al.*

Case No.: 18-27963 (MBK)

Caption: Order Authorizing the Employment and Retention of John A. Fialcowitz, LLC as Co-Counsel to the Official Committee of Asbestos Claimants

order entered in this case governing professional compensation and reimbursement for services rendered and charges and disbursements incurred.

4. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Application or is otherwise waived.

5. The Committee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.

6. This Court shall retain exclusive jurisdiction to hear and decide any and all disputes related to or arising from the implementation, interpretation and enforcement of the Order.

In re:
Duro Dyne National Corp.
Debtor

Case No. 18-27963-MBK
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

Date Rcvd: Nov 09, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 11, 2018.

db +Duro Dyne National Corp., 100 Horizon Center Boulevard, Hamilton, NJ 08691-1903

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 11, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 9, 2018 at the address(es) listed below:

Christina Salem on behalf of Interested Party The North River Insurance Company
christina.salem@kennedyscmk.com
Christina Salem on behalf of Interested Party Hartford Accident and Indemnity Company
christina.salem@kennedyscmk.com
Daniel Wagner London, I on behalf of Interested Party MidStates Reinsurance Corporation
dlondon@londonfischer.com
Denise E. Carlson on behalf of Loss Mitigation Shellpoint Mortgage Servicing
dcarlon@kmlawgroup.com, bkggroup@kmlawgroup.com
Jeffrey A. Cooper on behalf of Creditor 4 Site, LLC jcooper@rltlawfirm.com,
cooperatty@aol.com;rgaydos@rltlawfirm.com
Jeffrey D. Prol on behalf of Debtor Duro Dyne Machinery Corp. jprol@lowenstein.com,
tfreedman@lowenstein.com;dclaussen@lowenstein.com
Jeffrey D. Prol on behalf of Debtor Duro Dyne National Corp. jprol@lowenstein.com,
tfreedman@lowenstein.com;dclaussen@lowenstein.com
Jeffrey D. Prol on behalf of Interested Party Duro Dyne Midwest jprol@lowenstein.com,
tfreedman@lowenstein.com;dclaussen@lowenstein.com
Jeffrey D. Prol on behalf of Interested Party Duro Dyne Machinery jprol@lowenstein.com,
tfreedman@lowenstein.com;dclaussen@lowenstein.com
Jeffrey D. Prol on behalf of Interested Party Duro Dyne Corporation jprol@lowenstein.com,
tfreedman@lowenstein.com;dclaussen@lowenstein.com
Jeffrey D. Prol on behalf of Debtor Duro Dyne Corporation jprol@lowenstein.com,
tfreedman@lowenstein.com;dclaussen@lowenstein.com
Jeffrey D. Prol on behalf of Other Prof. Getzler Henrich & Associates, LLC
jprol@lowenstein.com, tfreedman@lowenstein.com;dclaussen@lowenstein.com
Jeffrey D. Prol on behalf of Interested Party Duro Dyne West jprol@lowenstein.com,
tfreedman@lowenstein.com;dclaussen@lowenstein.com
Jeffrey D. Prol on behalf of Debtor Duro Dyne West Corp. jprol@lowenstein.com,
tfreedman@lowenstein.com;dclaussen@lowenstein.com
Jeffrey D. Prol on behalf of Debtor Duro Dyne Midwest Corp. jprol@lowenstein.com,
tfreedman@lowenstein.com;dclaussen@lowenstein.com
Jeffrey M. Sponder on behalf of U.S. Trustee U.S. Trustee jeffrey.m.sponder@usdoj.gov,
jeffrey.m.sponder@usdoj.gov
John A. Fialcowitz on behalf of Creditor Committee Official Committee of Asbestos Claimants
john@fialcowitzlaw.com
Jordan E. Jacobson on behalf of Creditor Pension Benefit Guaranty Corp
jacobson.jordan@pbgc.gov, efile@pbgc.gov
Karl J. Norgaard on behalf of Unknown Role Type Undisclosed Interested Party
knorgaard@norgaardfirm.com,
sferreira@norgaardfirm.com;184grandno@gmail.com;kcimmino@norgaardfirm.com
Mark S. Lichtenstein on behalf of Interested Party Federal Insurance Company
mlichtenstein@crowell.com, mplevin@crowell.com;tyoon@crowell.com

District/off: 0312-3

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Form ID: pdf903

Page 2 of 2
Total Noticed: 1

Date Rcvd: Nov 09, 2018

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Matthew B. Heimann on behalf of Creditor Mestek, Inc. and Mestek Machinery, Inc.
mheimann@mccarter.com
Mitchell Hausman on behalf of U.S. Trustee U.S. Trustee Mitchell.B.Hausman@usdoj.gov
Scott S. Rever on behalf of Creditor Sheet Metal, Air, Rail & Transportation Workers
International Association, AFL-CIO srever@wjslaw.com,
srever@ecf.inforuptcy.com;dmendez@wjslaw.com;dmendez@ecf.inforuptcy.com
Sean M. Beach on behalf of Other Prof. Lawrence Fitzpatrick bankfilings@ycst.com
Stephen Forte on behalf of Interested Party The North River Insurance Company
sforte@goodwin.com, bankruptcy@goodwin.com;bankruptcyparalegal@goodwin.com
Stephen Forte on behalf of Interested Party Hartford Accident and Indemnity Company
sforte@goodwin.com, bankruptcy@goodwin.com;bankruptcyparalegal@goodwin.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
William E. McGrath, Jr on behalf of Interested Party Munich Reinsurance America, Inc. f/k/a
American Re-Insurance Company wmcgrath@dilworthlaw.com

TOTAL: 28